

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**IN RE NATIONAL PRESCRIPTION
OPIATE LITIGATION**

) **MDL 2804**
) **Case No. 1:17-md-2804**
) **Judge Dan Aaron Polster**
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)
) **ORDER RE: PUBLIC AND**
) **MEDIA LOGISTICS**
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To ensure that the trial of this matter is conducted in a decorous manner, that the parties receive a fair trial, and that the public and media are given appropriate access to the proceedings, the Court hereby orders the following:

1. Pursuant to [Federal Rule of Criminal Procedure 53](#), [Local Civil Rule 83.1](#) and [General Order 2009-21a](#), no broadcasting may be done from the courthouse or courthouse plaza. Broadcasting includes blogging, microblogging, and any other direct, real-time dissemination of information to a general or public audience.
2. Recording devices (including, e.g., video cameras, audio recording devices, and stenotype machines) will not be permitted inside the courthouse or on the courthouse plaza. While cell phones, laptops and hand-held mobile devices with ancillary photographic or audio-visual recording capability may be permitted entry, the use of such devices to photograph, record or broadcast within the courthouse is strictly prohibited and any violation is subject to confiscation of equipment and to sanction by the Court.
3. The general [Northern District of Ohio Media Guidelines](#) shall apply to the extent that they are not superseded by the terms of this order.
4. Voir Dire and Trial in Courtroom 18B
 - a. Trial of this matter will be conducted in courtroom 18B.
 - b. Due to seating limitations, spectators and media will not be permitted into courtroom 18B during voir dire. However, spectators and media will be able to view the proceedings from Overflow Courtrooms 16B and 17B via a closed-circuit audio-visual feed.

- c. Following voir dire, courtroom 18B will be open to both spectators and media for subsequent proceedings in this trial on a first-come, first-seated basis. However, so as not to disturb or interrupt the proceedings, spectators and media representatives who plan on entering/exiting the courtroom frequently, should view the proceedings from the Overflow Courtrooms 16B and 17B.
- d. Public spectators seated in the gallery of Courtroom 18B are prohibited from the use of electronic communications or data entry devices (including, e.g., cellular telephones and laptop computers). Equipment used in violation of this provision is subject to confiscation.

5. Media Resources

- a. The overflow rooms will be Courtrooms 16B and 17B. A live, closed circuit audiovisual feed of courtroom proceedings shall be available.
- b. The spectator galleries located in Courtrooms 16B and 17B shall be reserved exclusively for members of the general public. The trial wells in said courtrooms will be set aside for the use of credentialed members of the media, on a first-come, first-served basis. Members of the media must present their media organization credentials in order to gain access to the trial well.
- c. Public spectators seated in the galleries of the Overflow Courtrooms are prohibited from the use of electronic communications or data entry devices (including, e.g., cellular telephones and laptop computers). Equipment used in violation of this provision is subject to confiscation.
- d. Credentialed media sitting in the trial wells will be permitted electronic communications and data entry devices (including, e.g., cellular telephones and laptop computers) subject to the restriction that no audio or video recording functions on those devices are utilized.
- e. Telephone calls must be made and answered outside of the courtrooms.
- f. Court personnel will be present in the Overflow Courtrooms to ensure compliance with the Court's orders.
- g. Room 109 has been designated as the Press Room in this court house. There is very limited space in the room, which is basic and not equipped with any special facilities. The Press Room will be open between the hours of 8 a.m. to 6 p.m., Monday through Friday, unless specified otherwise by the Court. Media representatives are not permitted in the Court House, including the Press Room, outside of normal court hours.

- h. Media requests for copies of trial exhibits shall be made of the attorney that offered said exhibit.

- i. Court Media Contact

All media inquiries regarding this case must be directed to the following email box: media@ohnd.uscourts.gov or to the Clerk of Court's media contacts for this case:

Vicky Mizell, Chief Deputy Clerk
Carl B. Stokes U.S. Court House
801 West Superior Avenue
Cleveland, OH 44113
Telephone: (216) 357-7081

Or

Melanie Dresch, Courtroom Services Supervisor
Carl B. Stokes U.S. Court House
801 West Superior Avenue
Cleveland, OH 44113
Telephone: (216) 357-7018

Requests for case specific information that is not already available on the docket or on the MDL page of the Court's public website (<https://www.ohnd.uscourts.gov/mdl-2804>) should be made in writing to the Court's media mailbox or the Clerk of Court's media contacts. Requests for information that will require a judicial ruling will be forwarded to the judge by the media contacts for his consideration.

- j. Media interviews of trial participants in the courthouse, on the courthouse steps or in the pedway to Tower City are prohibited. Interviews may be conducted to the right of the Court House steps as you exit the building. No cameras or cables may block entrance or exit from the Court House, including the main entrance, all emergency exits and all vehicle driveways. Care should be taken that pedestrian traffic along the sidewalks is not impeded.

6. Juror Contact and Security

- a. Following jurors, obtaining their license plate numbers, photographing them, or attempting in any way to obtain their identities is prohibited.
- b. Conversations, interviews, and written communications with prospective jurors, and with selected jurors, before the Court has discharged the jury are prohibited.

- c. Sketch artists rendering drawings of Court proceedings are prohibited from drawing detailed sketches of any member of the jury. Silhouettes with no distinguishing features, however, are permitted.
- 7. Points of courthouse egress and ingress, as well as hallways, may not be obstructed at any time.
- 8. The Court's ongoing duty to conduct the trial in a safe and orderly manner may result in the modification of the requirements of this order.
- 9. The Court reserves the right to utilize its full contempt powers in enforcing this order.

IT IS SO ORDERED.

/s/Dan Aaron Polster 10/3/19

Dan Aaron Polster

United States District Judge